

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JERRY PINKS, individually and on behalf of  
others similarly situated,

Plaintiff,

vs.

M & T BANK CORP.,

Defendant.

Index No.: 13-cv-1730—LAK—RLE

**M&T BANK CORPORATION'S  
MOTION TO STAY AND/OR EXTEND**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, dated March 2, 2015, which is incorporated by reference, and upon all of the pleadings and proceedings heretofore had herein, Defendant M&T Bank Corporation (“M&T”) hereby moves this Court for an Order immediately staying this action pending the Court’s disposition of M&T’s Motion for Partial Judgment on the Pleadings (the “Pending Motion”) and a subsequent determination as to whether this Court has subject matter jurisdiction to proceed beyond deciding the Pending Motion. In accordance with Section 2(A) of the Individual Practices of Magistrate Judge Ellis, a pre-motion conference is not required.

**WHEREFORE**, M&T respectfully requests that the Court grant its Motion to Stay and/or Extend.

Date: March 2, 2015

Respectfully submitted,

**REED SMITH LLP**

By: /s/ Roy W. Arnold  
Roy W. Arnold (admitted *pro-hac vice*)  
Andrew J. Soven (admitted *pro-hac vice*)

2500 One Liberty Place  
1650 Market Street  
Philadelphia, PA 19103-7301  
(215) 851-8100

Steven Cooper (SC4394)  
599 Lexington Avenue  
New York, New York 10022  
Telephone: (212) 521-5400  
Facsimile: (212)-521-5450  
Email: scooper@reedsmith.com

*Attorneys for Defendant M&T Bank  
Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 2, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel or parties of record electronically by CM/ECF.

/s/ Roy W. Arnold  
*Counsel for Defendant M&T Bank  
Corporation*